

**INITIAL STATEMENT OF REASONS  
TITLE 13 ARTICLE 2.7  
CERTIFICATES AND ENDORSEMENTS**

**SECTION 147.00 House Car Endorsements.**

Assembly Bill 67 (Chapter 658, 2001 Statutes) amended Vehicle Code Section 35400 which previously prohibited any vehicle exceeding 40 feet in length from operating on California highways. The statute provides for an exemption to the forty-foot limitation of a house car, extending the length up to forty-five feet for a non-commercial class B driver with a house car endorsement. Vehicle Code Section 12804.15 is added allowing the issuance of a house car endorsement once an applicant meets specified criteria.

The house car endorsement is necessary because today's house cars are built similar to commercial vehicles in gross vehicle weight, chassis, air brake system and other structural characteristics. The previous length limitations of Vehicle Code Section 35400 were imposed almost ten years ago and did not reflect the technological improvements making forty-five foot house cars a safe vehicle to drive. California house car manufacturers already produce and sell forty-five foot house cars. The state of California is the most popular recreational vehicle state in the United States. Currently a majority of states allow forty-five house cars to operate on their highways. As a result of California's length limitation, many tourists may have traveled into the state illegally not knowing of the length limitations.

Many California residents may find themselves in a similar situation when they purchase and register their forty-five foot house cars and find they must either park the vehicle indefinitely or drive it at the risk of receiving a citation. These statute changes facilitate the purchase of these vehicles by making them legal on the highways, and provide an appropriate class license and endorsement for California drivers.

The department proposes to add Section 147.00 in Article 2.7 of Chapter 1, Division 1, of Title 13, California Code of Regulations, authorizing the operation of a house car over forty feet, but not over forty-five feet, with a valid class B non-commercial license with a house car endorsement issued by the department. Holders of a commercial class A or B licenses are exempt from the house car endorsement requirement, and may operate a house car over forty feet in length.

The purpose of Section 147.00 is to (1) specify the requirements necessary to obtain the house car endorsement; (2) identify the form that an applicant must complete to provide and maintain medical information with the department. This proposed action is necessary to protect the safety of the motoring public.

Proposed subsection (a) establishes criteria for the issuance of the house car endorsement as specified in Section 12804.15 of the Vehicle Code. This subsection is necessary to inform affected individuals of the requirements necessary to obtain and retain the endorsement.

Subdivision (a)(1) lists the driver license classification for which the driver must apply in conjunction with a house car endorsement. This classification is necessary due to the structure of a forty-five foot house car. Subdivision (a)(2) establishes the minimum medical requirements necessary to ensure the driver is not a medical high risk pursuant to Section 28.21 of Title 13. Such medical requirements ensure the safety of the driver and the motoring public.

Subdivision (a)(3) specifies a specialized written test shall be given to the applicant based on the California Recreational Vehicles and Trailers Handbook. The test requires knowledge of: the rules of the road for forty-five foot house cars; a pre-trip inspection list of the features and equipment for which the driver must have an understanding for safe operation; defensive driving techniques needed due to the extra space a house car needs while on the road and its slower directional changes; proper load distribution, including towing, that can cause tire failures, or inadequate ability to control the vehicle when not used correctly.

Subdivision (a)(4) lists four driving related tests. These tests ensure the driver: correctly performs a inspection safety check; is able to back and park the vehicle from an angle into a simulated space without going beyond the space boundary and is able to control the vehicle properly on the road.

Subdivision (a)(5) gives the endorsement fee amount. This fee is established in Vehicle Code Section 12804.15.

Subdivision (b) lists the license classifications that may drive a forty-five foot house car without the house car endorsement. Subdivision (b)(1) lists the class A driver license, and (b)(2) lists the commercial B driver license. These two classifications are exempt pursuant to: Vehicle Code Section 12500 which prohibits the operation of a vehicle that is not of a type for which the person is licensed; and Vehicle Code Section 12804.9 which allows a class A to operate all vehicle under a class B, and makes a commercial class B license inclusive of noncommercial class B. Making this distinction is necessary to inform affected individuals of the licensing requirements to obtain a house car endorsement.

The purpose of subdivision (c) is to identify in regulation the Physician's Health Report, form DL 546A (Rev. 12/2001), as the medical information form to be completed and signed by a physician, and submitted to the department by an applicant applying for a house car endorsement. The department has determined that the Physician's Health Report is necessary to meet the statutory requirement for submitting medical information. Requiring a specific form will ensure the medical information is provided in an organized fashion and processed in an efficient manner. The form requires physician certification. A physician certification is required because a physician is best qualified to make a diagnosis and prognosis based on the applicant's medical information.

Subdivision (c)(1) requires the applicant's true full name, address, date of birth, driver license number and daytime telephone number. This information is necessary for identification purposes and to allow the department to contact the applicant, if necessary.

Subdivision (c)(2) gives instruction on how the medical questions shall be answered, and is therefore necessary.

It is necessary in subdivisions (c)(2)(A) through (c)(2)(P) to require the physician to provide specific medical information based on criteria specified in section 28.21 to allow the department to determine that an applicant is medically qualified to receive a house car endorsement.

Subdivision (c)(2)(A) requires the physician to indicate whether the applicant has difficulty recognizing colors of red, green, and amber used in traffic signal lights and devices. A deficiency in color vision can reduce a driver's ability to distinguish certain shades of color, usually red and green colors. Therefore, this requirement is necessary to help the department determine whether the applicant can properly identify each of the colors used in traffic signal lights and devices.

Subdivision (c)(2)(B) requires the physician to indicate whether the applicant has peripheral vision of less than 70 degrees for either eye. Peripheral or side vision is the field of view that surrounds the central portion of the visual field. When driving, peripheral vision is used in part to detect road signs, hazards, changes in traffic flow, monitor traffic in front of the vehicle, and monitor lane boundaries in order to keep the vehicle centered in the traffic lane. Any peripheral vision impairment can result in the driver failing to react to a hazard coming from the driver's left or right side, failing to heed a stop light suspended over an intersection, weaving while negotiating a curve, and/or driving too close to parked cars. Due to the size of the house cars, it is imperative that a driver be able to sufficiently detect road signs and any potential traffic hazards and act accordingly. For these reasons the peripheral vision requirement is necessary.

Subdivision (c)(2)(C) requires the physician to indicate whether the applicant has difficulty perceiving a forced whispered voice in the better ear, without a hearing aid, at not less than five feet. This subdivision is necessary to help the department determine whether the applicant has a hearing deficiency, which can result in a driver not noticing a sound signaling a vehicle malfunction or other hazard, and responding in a timely manner to avoid a traffic accident.

Subdivision (c)(2)(D) requires the physician to indicate whether the applicant has a vision impairment in either eye that is not correctable to visual acuity of 20/40 or better. Visual acuity is the finest detail that may be perceived. The requirement in subdivision (c)(2)(D) will help the department determine if there is an impairment that can result in the driver failing to read signs and/or recognize hazards in a timely manner. This is particularly important when operating larger vehicles and/or towing another vehicle because of the additional time needed to safely reduce speed in order to react to a potential traffic hazard.

Subdivisions (c)(2)(E) and (c)(2)(F) requires the physician to indicate whether the applicant has a missing foot, leg, hand, finger, or arm; an impairment of a hand or finger; or any other impairment of an arm, hand, foot, or leg, or other limitation. These provisions are necessary to help the department determine whether the applicant is physically able to properly control a house car, or tow a vehicle.

Subdivision (c)(2)(G) requires the physician to indicate whether the applicant has diabetes requiring insulin for control. A "yes" answer to this question will alert department personnel to mark the driver's record for review. This provision is necessary to help the department determine whether the applicant can safely drive without risk of a diabetic reaction while the driver is behind the wheel.

Subdivision (c)(2)(H) requires the physician to indicate whether the applicant has had a hypoglycemic episode or other adverse reaction related to diabetes in the last three years. This requirement is necessary because a "yes" answer will alert department personnel to contact the applicant's health care professional for additional medical information to determine whether the applicant's condition will affect safe driving ability.

Subdivision (c)(2)(I) is a two-part question that requires the physician to indicate whether the applicant has had a heart attack, angina, coronary insufficiency, thrombosis, stroke, or other heart problem, or cardiovascular disease, and if "yes," whether the applicant has had labored breathing, fainting, collapse, congestive heart failure, or other symptoms in the last three years. A "yes" answer to the first part of the question will alert department personnel to mark the driver's record for review. A "yes" to the second part of the question will alert the department not to issue an interim license because the applicant does not meet the minimum medical criteria. This provision is necessary to help the department

determine whether the applicant has a condition, which could result in a heart malfunction while the driver is operating the vehicle, threatening traffic safety.

Subdivision (c)(2)(J) is a two-part question that requires the physician to indicate whether the applicant has been diagnosed with a respiratory condition, such as emphysema, chronic asthma, or tuberculosis and, if “yes,” whether the respiratory condition is likely to interfere with the applicant’s ability to safely operate a motor vehicle. Certain respiratory dysfunctions may be accompanied by prolonged or chronic lack of oxygen, which will produce drowsiness, fatigue, depressed mental activity, labored breathing, and may eventually lead to convulsions and coma. Even the slightest breathing difficulty under emergency conditions (when greater oxygen supply is necessary for performance) may be detrimental. A “yes” answer to the first part of the question will alert department personnel to mark the driver’s record for review. A “yes” answer will alert department personnel not to issue an interim license because the applicant does not meet the minimum medical criteria. Subdivision (c)(2)(J) is necessary to help the department determine whether the applicant’s condition will likely interfere with the driver’s ability to safely operate a motor vehicle.

Subdivision (c)(2)(K) requires the physician to indicate whether the applicant has been diagnosed with high blood pressure, and if so, whether the applicant’s blood pressure is usually higher than 160/90. A “yes” to this question will alert department personnel to mark the driver’s record for review. This requirement is necessary because a “yes” answer will alert department personnel to contact the applicant’s physician for additional information to determine whether the applicant’s condition will likely interfere with safe driving ability.

Subdivision (c)(2)(L) is a two-part question that requires the physician to indicate whether the applicant has ever been diagnosed with a rheumatic, arthritic, orthopedic, muscular, neuromuscular or vascular disorder, and if “yes”, whether the condition is likely to interfere with the applicant’s ability to drive a motor vehicle safely. All of these conditions have acute episodes of transient muscle weakness, poor muscular coordination, abnormal sensations, decreased muscle tone, visual disturbances, and pain, which may be suddenly incapacitating. A “yes” answer to the first part of the question will alert department personnel to mark the driver’s record for review. A “yes” to the second part of the question will alert department personnel not to issue an interim license because the applicant does not meet the minimum medical criteria. Therefore, subdivision (c)(2)(L) is necessary help the department determine whether the applicant’s condition will likely impact safe driving ability.

Subdivision (c)(2)(M) is a two-part question that requires the physician to indicate whether the applicant has ever been diagnosed with any mental, nervous, organic, or functional disease, or psychiatric disorder and, if “yes”, whether the condition is likely to interfere with the applicant’s ability to drive a motor vehicle safely. A variety of functional disorders can cause drowsiness, dizziness, confusion, weakness, or paralysis that may lead to lack of coordination, inattention, loss of functional control and susceptibility to accidents while driving. A “yes” answer to the first part of the question will alert department personnel to mark the driver’s record for review. A “yes” to the second part of the question will alert department personnel not to issue an interim license because the applicant does not meet the minimum medical criteria. This subdivision is necessary to help the department determine if the applicant has a condition that will affect the mental alertness and flexibility required to operate larger vehicles.

Subdivision (c)(2)(N) is a two-part question that requires the physician to indicate whether the applicant has ever been diagnosed with epilepsy or any other condition that may cause loss of consciousness or loss of control, and if “yes”, whether the applicant has had a loss of consciousness or loss of control in

the last three years. Epilepsy is a chronic functional disease characterized by sudden seizures or attacks that occur without warning, resulting in loss of voluntary control. A “yes” answer to the first part of the question will alert department personnel to mark the driver’s record for review. A “yes” to the second part of the question will alert department personnel not to issue an interim license. Therefore, the requirement in subdivision (c)(2)(N) is necessary to help the department determine whether the applicant has a condition that may result in the applicant losing vehicular control while operating a vehicle.

Subdivision (c)(2)(O) is a two part question that requires the physician to indicate whether the applicant uses a controlled substance, amphetamine, narcotic, or any other habit-forming drug, and if “yes”, whether the applicant’s health care professional prescribed the drug, and whether the physician advised the applicant not to drive when taking the drug. Controlled substances, amphetamines, narcotics, and other habit-forming drugs impair a driver’s perceptual and motor skills necessary to control a vehicle. A “yes” answer to the first part of the question will alert department personnel to mark the driver’s record for review. A “yes” to the second part of the question will alert department personnel not to issue an interim license because the applicant does not meet the minimum medical criteria. The requirement in subdivision (c)(2)(O) will help the department determine whether the applicant is using a substance or drug that will impair his or her driving ability, or taking a drug prescribed by a physician who has instructed the applicant that the substance will affect the applicant’s ability to safely operate a motor vehicle.

Subdivision (c)(2)(P) requires the physician to indicate whether the applicant has a history or clinical diagnosis of alcoholism. A “yes” answer to the question will alert department personnel to mark the driver’s record and not to issue an interim license because the applicant does not meet the minimum medical criteria. This requirement is necessary to help the department determine whether the applicant has a problem that may result in a traffic safety risk due to driving under the influence.

Subdivisions (c)(3) and (c)(3)(A) require the visual acuity of each eye to be given with or without corrective lenses. The combined visual acuity of both eyes is also required, with or without corrective lenses. The subdivision requests whether contacts are worn and whether the lenses are well adapted and tolerated. This question is more specific than subdivision (c)(2)(c), which only requests whether visual acuity is 20/40 or better. This provision is necessary to determine if the impaired function is stable or progressive.

Subdivision (c)(4) requires the applicant’s blood pressure reading at the time of the exam. A blood pressure reading of 160 (Systolic) over 90 (Diastolic) will alert the department personnel to contact the applicant’s health care professional for additional medical information to determine whether the applicant’s condition will affect safe driving ability. This provision is necessary for the department to determine whether the applicant is medically qualified to drive a motor vehicle without endangering the public.

Subdivision (c)(5) requires the physician to explain any “yes” answers to the health questions. This requirement is necessary to provide clarification of any positive response on the health report so the department can determine whether the applicant can safely drive a forty-five foot house car.

Subdivision (c)(6) requires an affirmation from the physician declaring the applicant has been examined and does not have an impairment or condition that would preclude the applicant (patient) from performing the functions of either driving a forty-five foot house car, or being a Driving School

Instructor. This provision is used to distinguish when the form is being used for the house car endorsement or for Driving School Instructor certification.

In subdivision (c)(7) it is necessary to request the physician's name, office address, signature, and telephone number to allow the department to contact the physician to clarify any medical information provided. The physician must indicate the date of the applicant's last visit, the date of the current examination, the physician's license or certificate number and the issuing state.

It is necessary to obtain a signed certification from the applicant, under penalty of perjury under the laws of the State of California, in subdivision (c)(8) to ensure the accuracy of information provided, and to provide the department with proper authorization to obtain additional medical information if necessary regarding an applicant's medical eligibility for a forty-five foot house car endorsement.

These regulations are exempt from the Permit Reform Act of 1981 because a house car endorsement (permit) is either issued or denied at the time the applicant submits the completed driver license application with the Physician's Health Report form (DL 546A) in less than seven days.